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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

- - - - -X  
UNITED STATES OF AMERICA 18-CR-6094(G)  
  
vs.  
CARLOS JAVIER FIGUEROA, Rochester, New York  
Defendant. May 18, 2021  
11:07 a.m.  
- - - - -X

TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE FRANK P. GERACI, JR.  
UNITED STATES DISTRICT CHIEF JUDGE

JAMES P. KENNEDY, JR., ESQ.  
United States Attorney  
BY: ROBERT A. MARANGOLA, ESQ.  
CASSIE M. KOCHER, ESQ.  
Assistant United States Attorneys  
500 Federal Building  
Rochester, New York 14614  
Appearing on behalf of the United States  
  
PAUL J. VACCA, JR., ESQ.  
One East Main Street, Suite 1000  
Rochester, New York 14614  
Appearing on behalf of the Defendant

ALSO PRESENT: Nicolas Penchaszadeh, Spanish Interpreter  
Barbara Considine, Spanish Interpreter  
Besayda Soto Abbate, Spanish Interpreter  
  
COURT REPORTER: Christi A. Macri, FAPR-RMR-CRR-CSR(NY/CA)  
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I N D E X

WITNESS FOR THE GOVERNMENT

Stephen Hunt

Direct examination by Ms. Kocher

Page 3

1

P R O C E E D I N G S

2

\* \* \*

3

4

(WHEREUPON, the defendant is present; the jury is present).

11:07:59AM 5

GOVERNMENT'S WITNESS, STEPHEN HUNT, SWORN

6

DIRECT EXAMINATION

7

8

**THE CLERK:** Please state your name and spell your last name for the record.

9

11:08:42AM 10

**THE WITNESS:** Stephen, with a P-H, and last name is Hunt, H-U-N-T.

11

**THE REPORTER:** Thank you.

12

13

**THE COURT:** You may proceed. Officer, you may remove your mask since you're behind plexiglas.

14

You may proceed.

11:09:15AM 15

**MS. KOCHER:** Thank you.

16

**BY MS. KOCHER:**

17

Q. Good morning.

18

A. Good morning.

19

Q. Could you please introduce yourself to the jury?

11:09:21AM 20

21

A. I'm Stephen Hunt and I'm an investigator with the Brighton Police Department.

22

23

Q. How long have you been an investigator with the Brighton Police Department?

24

11:09:32AM 25

A. I've been an investigator since September of 2016, but I've been with the department since March of 2001.

1 Q. From March of 2001 to September of 2016, what was your  
2 position at the Brighton Police Department?

3 A. Road patrol.

4 Q. And what are some of your current duties as an  
11:09:52AM 5 investigator?

6 A. As an investigator I investigate high profile crimes,  
7 everything from murders to grand larcenies, from physical  
8 assaults to sexual assaults and everything in between, do  
9 threat assessments, I do background investigations on new  
11:10:10AM 10 hires, missing person investigations. Just everything that's  
11 high profile that comes into the police department and high  
12 level crimes.

13 Q. Now, what were some of your duties as a police officer?

14 A. Road patrol, answering calls for service that could be,  
11:10:27AM 15 you know, you get in your car in the beginning of the day, you  
16 never know what you're going to deal with: Mental health  
17 issues, domestic violence issues, like I said, traffic  
18 control, accidents, accident reporting, just everything that  
19 comes in.

11:10:40AM 20 Q. Now, Investigator, in 2015 were you assigned to any  
21 specific team?

22 A. Yes. Every 18 months the Brighton Police Department sends  
23 a representative down to GRANET. It's called the Greater  
24 Rochester Area Narcotics Enforcement Team. So in March of  
11:11:00AM 25 2015 I went down there for just about 18 months.

1 Q. And what were some of your duties when you were assigned  
2 to the GRANET team?

3 A. So my duties were I would investigate drug enterprises,  
4 drug narcotic enterprises. I would work with confidential  
11:11:22AM 5 informants, do drug buys, write search warrants for locations,  
6 execute search warrants and hopefully at the end arrest  
7 people.

8 Q. And you mentioned that the Brighton Police Department  
9 would send officers every 18 months or so?

11:11:39AM 10 A. Yes.

11 Q. Were there other agencies involved in the GRANET team?

12 A. Yeah, multi-agencies, representatives from Rochester  
13 Police Department, there was DEA, Greece Police Department,  
14 East Rochester had a representative, too.

11:11:54AM 15 So it's getting everybody together. There's no  
16 borders for crime. And also when stuff would come in drug  
17 narcotic related in Brighton, I would take those cases as  
18 well.

19 Q. Okay. Now, while you were working with the GRANET team  
11:12:09AM 20 did you also assist with the execution of search warrants?

21 A. Yes.

22 Q. Okay. I'd like to direct your attention specifically to  
23 April 22nd of 2015. Were you assigned to the GRANET team on  
24 that day?

11:12:23AM 25 A. Yes, I was.

1 Q. And did you assist with the execution of a search warrant  
2 that day?

3 A. Yes, I did.

4 Q. Where was that?

11:12:31AM 5 A. At 14 Burbank Street in the City of Rochester.

6 Q. Okay. All right, Investigator, you should see Government's  
7 Exhibit 237 on your monitor to the left.

8 A. I do.

9 Q. Do you see that?

11:12:44AM 10 A. I do.

11 Q. Do you see 14 Burbank Street, the location that you  
12 executed the warrant at on this map?

13 A. Yes.

14 Q. Could you please circle the general area where 14 Burbank  
11:12:55AM 15 Street is located? So you've placed a circle almost in the  
16 middle of the photograph right around the numbers 14?

17 A. Correct.

18 Q. About what time did you arrive to execute the search  
19 warrant on 14 Burbank Street that day?

11:13:15AM 20 A. Approximately 9:57 a.m.

21 Q. Could you describe the house at that location?

22 A. Single family home on the north side of the street. We  
23 made entry on the east side of the house at a door.

24 Q. Okay. And when you made entry into the home was there  
11:13:37AM 25 anyone inside?

1 A. Yes.

2 Q. About how many people?

3 A. Six.

4 Q. And what did you do after you made entry into the  
11:13:46AM 5 location?

6 A. After entry was made anybody in the home was secured for  
7 safety; then protocol you take photographs of everything; and  
8 then from there you execute the search warrant and search for  
9 narcotics or drugs.

11:14:02AM 10 Q. And did you locate any items of evidence that were  
11 ultimately collected?

12 A. Yes.

13 Q. Were those items also photographed?

14 A. Yes.

11:14:10AM 15 Q. Investigator, there's a binder in front of you there.  
16 Would you mind flipping through Exhibits 115 through and  
17 including 133 and let me know when you're done?

18 A. Yes. I'm done.

19 Q. Okay. Investigator, just generally what is depicted in  
11:15:10AM 20 those photographs or exhibits 115 to 133?

21 A. Well, the photographs of the home, photographs of the  
22 people that were secured in the home, the six people;  
23 photographs of the narcotics that were seized and some of the  
24 other items that were seized.

11:15:27AM 25 Q. Do those photographs fairly and accurately depict the

1 location that you searched that day, the items that you  
2 seized, and the individuals that were in the home?

3 A. Yes.

4 **MS. KOCHER:** Your Honor, I would offer Government's  
11:15:42AM 5 Exhibits 115 to and including 133. I would also note that  
6 Exhibit 123 is already in evidence.

7 **MR. VACCA:** Your Honor, no objection to 115.

8 **THE COURT:** Exhibit 115 will be received.

9 (WHEREUPON, Government's Exhibit 115 was received  
11:16:07AM 10 into evidence).

11 **MR. VACCA:** No objection to 116.

12 **THE COURT:** Exhibit 116 will be received.

13 (WHEREUPON, Government's Exhibit 116 was received  
14 into evidence).

11:16:15AM 15 **MR. VACCA:** No objection to 117.

16 **THE COURT:** Exhibit 117 will be received.

17 (WHEREUPON, Government's Exhibit 117 was received  
18 into evidence).

19 **MR. VACCA:** No objection to 118.

11:16:29AM 20 **THE COURT:** Exhibit 118 will be received.

21 (WHEREUPON, Government's Exhibit 118 was received  
22 into evidence).

23 **MR. VACCA:** Just a *voir dire* on 119, Your Honor?

24 **THE COURT:** Yes, you may proceed.

11:16:42AM 25 **MR. VACCA:** Investigator, with 119 it looks like



1 there's two individuals, and that one looks like a police  
2 officer -- that's the far left?

3 **THE WITNESS:** Yes, sir.

4 **MR. VACCA:** Who else is in that picture?

11:16:57AM 5 **THE WITNESS:** I can't tell from the picture, sir.

6 **MR. VACCA:** Okay. That's law enforcement, right?

7 **THE WITNESS:** I would assume by the outfit. It  
8 looks likes the left leg there. Yes, I would assume so.

9 **MR. VACCA:** I would object to that one, Your Honor.

11:17:11AM 10 **THE COURT:** Basis?

11 **MR. VACCA:** The basis of the objection, Your Honor,  
12 is that as he indicated he doesn't know who that is in the  
13 picture.

14 **THE COURT:** Okay. Objection is overruled. 119 will  
11:17:22AM 15 be received.

16 (WHEREUPON, Government's Exhibit 119 was received  
17 into evidence).

18 **MR. VACCA:** No objection to 120.

19 **THE COURT:** 120 will be received.

11:17:27AM 20 (WHEREUPON, Government's Exhibit 120 was received  
21 into evidence).

22 **MR. VACCA:** No objection to 121.

23 **THE COURT:** 121 will be received.

24 (WHEREUPON, Government's Exhibit 121 was received  
11:17:36AM 25 into evidence.

1                   **MR. VACCA:** No objection to 122.

2                   **THE COURT:** 122 will be received.

3                   (WHEREUPON, Government's Exhibit 122 was received  
4 into evidence).

11:17:45AM 5                   **MR. VACCA:** 123 has already been received.

6                   124, Your Honor, I would object to because there's  
7 no foundation in my opinion at this time.

8                   **THE COURT:** What is generally 124?

9                   **THE WITNESS:** 124 is two individuals that were in  
11:18:08AM 10 the home during the execution of the search warrants from an  
11 upstairs bedroom.

12                   **THE COURT:** Okay. Overruled. 124 will be received.

13                   (WHEREUPON, Government's Exhibit 124 was received  
14 into evidence).

11:18:18AM 15                   **MR. VACCA:** No objection 125.

16                   **THE COURT:** 125 will be received.

17                   (WHEREUPON, Government's Exhibit 125 was received  
18 into evidence).

19                   **MR. VACCA:** No objection 126.

11:18:24AM 20                   **THE COURT:** 126 will be received.

21                   (WHEREUPON, Government's Exhibit 126 was received  
22 into evidence).

23                   **MR. VACCA:** No objection to 128.

24                   **THE COURT:** What happened to 127? Was that  
11:18:42AM 25 received?

1                   **MR. VACCA:** No, excuse me, 127 is okay as well, no  
2 objection.

3                   **THE COURT:** 127 will be received.

4                   (**WHEREUPON**, Government's Exhibit 127 was received  
11:18:51AM 5 into evidence).

6                   **THE COURT:** What about 128?

7                   **MR. VACCA:** Yup, I'm going on. 128 no objection.

8                   **THE COURT:** 128 will be received.

9                   (**WHEREUPON**, Government's Exhibit 128 was received  
11:19:00AM 10 into evidence).

11                   **MR. VACCA:** 129 no objection.

12                   **THE COURT:** 129 will be received.

13                   (**WHEREUPON**, Government's Exhibit 129 was received  
14 into evidence).

11:19:06AM 15                   **MR. VACCA:** 130 no objection.

16                   **THE COURT:** 130 will be received.

17                   (**WHEREUPON**, Government's Exhibit 130 was received  
18 into evidence).

19                   **MR. VACCA:** 131 no objection.

11:19:12AM 20                   **THE COURT:** 131 will be received.

21                   (**WHEREUPON**, Government's Exhibit 131 was received  
22 into evidence).

23                   **MR. VACCA:** 132 no objection.

24                   **THE COURT:** 132 will be received.

11:19:17AM 25                   (**WHEREUPON**, Government's Exhibit 132 was received

1 into evidence).

2 **MR. VACCA:** Then I have a gap after that to 141.

3 **THE COURT:** There's a 133, the next page.

4 **MS. KOCHER:** Your Honor, we can pull that up on the  
11:19:32AM 5 Trial Director, if we can black out the jury's monitors --

6 **MR. VACCA:** I don't have 133.

7 **MS. KOCHER:** -- if it's not in there.

8 **THE COURT:** Okay. You see it displayed now,  
9 Mr. Vacca?

11:19:47AM 10 **MR. VACCA:** I do, Your Honor, and I don't have that  
11 in my package here. Can I have a *voir dire*?

12 **THE COURT:** Yes.

13 **MR. VACCA:** Investigator, what does 133 show?

14 **THE WITNESS:** 133 is some mail that was collected  
11:20:10AM 15 from the kitchen of 14 Burbank Street.

16 **MR. VACCA:** No objection, Your Honor.

17 **THE COURT:** Exhibit 133 will be received. Thank  
18 you.

19 (WHEREUPON, Government's Exhibit 133 was received  
11:20:21AM 20 into evidence).

21 **BY MS. KOCHER:**

22 Q. Investigator, in the upper right corner of your monitor  
23 you see that button that says clear? If you can tap that, it  
24 should clear that red circle. Thank you.

11:20:30AM 25 All right, now we have Exhibit 115 that's been

1 received into evidence.

2 A. Yup.

3 Q. Thank you. Investigator, what is depicted in Government's  
4 115?

11:20:47AM 5 A. It's the front of 14 Burbank Street.

6 Q. Okay. And you indicated that you made entry on the east  
7 side I believe you said?

8 A. Yes, ma'am.

9 Q. If we could move on to the next photograph? What is  
11:21:03AM 10 depicted in Government's Exhibit 116?

11 A. It's the east side of 14 Burbank and the door that we made  
12 entry at with the big screen TV by it.

13 Q. Okay. Would you mind circling that door, please? All  
14 right, so you've placed a circle around that door on the side  
11:21:23AM 15 of the house, correct?

16 A. Correct.

17 Q. You also mentioned that there was a big screen TV?

18 A. Yes, ma'am.

19 Q. Was that in the driveway of 14 Burbank Street?

11:21:34AM 20 A. It was like more a sidewalk area.

21 Q. Okay. Just place an X on -- where that TV is. And you've  
22 placed an X just to the right of the side door that you made  
23 entry into?

24 A. Correct.

11:21:49AM 25 Q. If you wouldn't mind clearing those marks, please?

1 Government's Exhibit 117, what are we looking at here?

2 A. That's the threshold to the door that we made entry in on  
3 the east side of 14 Burbank Street.

4 Q. Okay. Next if we could go onto Exhibit 118? What is  
11:22:13AM 5 depicted in this photograph?

6 A. The kitchen area of 14 Burbank Street.

7 Q. Next if we could show 119? What is in this photo?

8 A. One of the first floor rooms of 14 Burbank Street.

9 Q. Okay. And was there any -- is there any furniture depicted  
11:22:35AM 10 in this photograph?

11 A. No furniture.

12 Q. Next if we could go onto Exhibit 120? What is depicted in  
13 this photo?

14 A. I believe an upstairs room with a mattress in it.

11:22:52AM 15 Q. Okay. And Exhibit 121?

16 A. Just a room in the home. Not sure just exactly which one.

17 Q. So does this have any furniture in it?

18 A. Looks like a pack and play.

19 Q. Okay. Next if we can move onto Exhibit 122?

11:23:17AM 20 A. It's a room in 14 Burbank used as -- looks like a bedroom.

21 Q. Okay. And this appears to have a mattress on the floor?

22 A. Yes, ma'am.

23 Q. And moving on to Exhibit 123. What is this a photograph  
24 of?

11:23:34AM 25 A. It's the living room area of 14 Burbank Street on the

1 first floor.

2 Q. Now, you mentioned when you first made entry into the home  
3 there were six people inside?

4 A. Correct.

11:23:45AM 5 Q. Does this photograph depict some of those individuals?

6 A. Yes.

7 Q. Who are the individuals depicted in this photograph?

8 A. So we'll start with who was in the dining room upon entry,  
9 and I'm going to circle Raphael Rodriguez. I'll put an arrow  
10 by it.

11 Q. You've placed an arrow by the individual that's in a chair  
12 that has like plaid pants on?

13 **MR. VACCA:** Your Honor, I'd object to the  
14 questioning of this exhibit. We already did it and this is a  
11:24:19AM 15 reduplication of the same thing, the same photograph, the same  
16 testimony.

17 **THE COURT:** Thank you. Objection is overruled. Go  
18 ahead.

19 **BY MS. KOCHER:**

11:24:30AM 20 Q. All right. Investigator, I believe I was saying you placed  
21 an arrow by the individual in a chair with plaid pants on?

22 A. Correct.

23 Q. Who was that individual?

24 A. Raphael Rodriguez.

11:24:42AM 25 Q. Okay. Who else is depicted in this photo?

1 A. So along with Raphael, I'm going to put a circle around  
2 Eric Arroyo Cruz who was also in the dining room upon entry.

3 Q. You've placed a circle around the individual seated on the  
4 floor with his hair in a bun and he is in the lower right  
11:25:04AM 5 corner of the photo?

6 A. Correct, with camouflage pants.

7 Q. Okay. Who else is in this photo?

8 A. This is -- I'm going to circle, sort of, Mr. Bruce  
9 Washington.

11:25:22AM 10 Q. Okay. And you've placed a photograph around -- another  
11 male seated on the floor, male with jeans on and he is about  
12 in the middle of the photograph?

13 A. Correct, with blue jeans and a plaid shirt.

14 Q. Okay. Who is the fourth individual in this photograph?

11:25:44AM 15 A. His name is Scott Davis.

16 Q. Okay. And you've circled the male to the far left of the  
17 photograph, he appears to have like tan work boots on and  
18 jeans?

19 A. Correct.

11:25:56AM 20 Q. If you wouldn't mind clearing your marks, please? All  
21 right, moving on to Government's Exhibit 124, who are the  
22 individuals in this photo?

23 A. I'll circle -- that's Francisco Rivera.

24 Q. Okay. You've circled the individual on the left in the  
11:26:17AM 25 black T-shirt?



1 A. Correct.

2 Q. And who is the female in the photo?

3 A. The female is Catherine Figueroa.

4 Q. Okay. And she's wearing like a light blue hoodie?

11:26:31AM 5 A. Kind of looks white on my monitor with the pink pants.

6 Q. Where were those two individuals located when you made  
7 entry into the home?

8 A. In an upstairs bedroom.

9 Q. Okay. If you wouldn't mind clearing your marks, please?

11:26:44AM 10 All right. Now, Investigator, after taking initial  
11 photographs of the location did you assist in searching the  
12 area?

13 A. Yes.

14 Q. And starting in the dining room what, if anything, did you  
11:26:56AM 15 locate in the dining room area of the home?

16 A. Located 169 purple glassine envelopes containing a tan  
17 colored substance that later tested as heroin; the little  
18 glassine -- purple glassine bags had a Chinese symbol on it  
19 that said good luck under them; they were packaged somewhere  
11:27:19AM 20 just -- the little baggies themselves, some were packaged in  
21 bundles, which is ten of them together in one package; there  
22 was also 32 little small clear ziplock style baggies  
23 containing a white powdery substance that was later  
24 ascertained as cocaine.

11:27:37AM 25 Q. Okay. Where did you locate the cocaine and heroin?

1 A. They were in some floor vents in the dining room on a wall  
2 that bordered the living room.

3 Q. Okay. I'd like to show you what's been received as  
4 Government's 125. Can you describe this photograph for us?

11:27:58AM 5 A. That's one of the floor vents I was mentioning where the  
6 narcotics were found.

7 Q. Do you see the narcotics that were located in the house in  
8 this photograph?

9 A. I do.

11:28:09AM 10 Q. And could you circle some of them?

11 A. Got some there.

12 Q. Okay. So, Investigator, you've made eight circles on the  
13 photograph in the vent area; is that correct?

14 A. Yes.

11:28:35AM 15 Q. And you've circled the small white and purple bags that  
16 appear to be down inside the vent?

17 A. Yes.

18 Q. If we can move on to Government's Exhibit 126? What is  
19 depicted in this photograph?

11:28:54AM 20 A. More narcotics packaged the same way as I previously told  
21 you and that was a little fanny pack some were found in as  
22 well.

23 Q. If we could move on to Government's Exhibit 127? Can you  
24 explain this photo as well?

11:29:09AM 25 A. Same thing. One of the vents in the dining room on a wall

1 that borders the living room and you can see it's a bag with  
2 suspected narcotics in it.

3 Q. Okay. And that bag, is that the same fanny pack we just  
4 saw in the last Exhibit 126?

11:29:27AM 5 A. Yes.

6 Q. Okay. And this is a second vent where the narcotics were  
7 located?

8 A. Yes.

9 Q. If we can move on to Exhibit 128? Can you explain what's  
11:29:41AM 10 in this photo?

11 A. When I mentioned purple glassine envelopes containing the  
12 tan substance with the markings on them, with the heroin, it's  
13 those purple ones there. And then these small ziplock style  
14 baggies with the white powdery substance is baggies containing  
11:30:01AM 15 cocaine.

16 Q. Okay. So the first circle that you placed was around one  
17 of the purple bags; is that correct?

18 A. Yes.

19 Q. And then the second circle that you marked was just to the  
11:30:12AM 20 left of the first one around some bags containing the white  
21 powdery substance that was later determined to be cocaine?

22 A. Yes.

23 Q. Now, Investigator, did you collect those drugs that were  
24 seized from the vent?

11:30:26AM 25 A. I did.

1 Q. And how did you go about collecting those drugs?

2 A. After I photographed them, collect them and put them in an  
3 evidence bag.

4 Q. Now, whenever you collect evidence is it given a certain  
11:30:39AM 5 identifying number?

6 A. Yes.

7 Q. What is that?

8 A. It's the case number generated from the job.

9 Q. Okay. And would that be unique to this particular search  
11:30:48AM 10 warrant?

11 A. Yes.

12 Q. Now, do you recall if the report number for this case was  
13 15-094247?

14 A. Yes.

11:30:58AM 15 Q. That was the number?

16 A. Correct.

17 Q. Okay. Now, Investigator, you should have what's been  
18 marked as Government's Exhibit 135 on the stand there. Do you  
19 see what that is?

11:31:10AM 20 A. Yes.

21 Q. And do you recognize that item?

22 A. I do.

23 Q. What do you recognize that to be?

24 A. It's the evidence bag used to collect the narcotics and  
11:31:20AM 25 has my handwriting all over it.

1 Q. So how do you recognize that bag that contains the  
2 narcotics seized from 14 Burbank Street?

3 A. It's got the case number on it, my name, the gentlemen  
4 that were arrested, and I can see through it and it's got the  
11:31:40AM 5 purple glassine envelopes as well, and ziplocks, the 32 small  
6 ziplocks containing cocaine.

7 Q. All right. Now, do the contents of that bag, the purple  
8 glassine baggies and the clear ziplock bags, appear to be in  
9 the same or substantially the same condition as when you  
11:32:04AM 10 collected them on April 22nd, 2015?

11 A. Roughly the same. There's some additions, there's some  
12 extra sticker I didn't put on.

13 Q. How about the actual bags, the contents of that exhibit?

14 A. Yes.

11:32:18AM 15 Q. That appears to be in the same or substantially the same  
16 condition?

17 A. Yes.

18 Q. Now, the evidence bag holding the drugs that you  
19 collected, what's different about the evidence bag?

11:32:31AM 20 A. Some stickers that weren't on it, the Government Exhibit  
21 sticker, the Monroe County Crime Lab sticker, Rochester Police  
22 Department big orange sticker, and the blue one on the bottom  
23 which would indicate, I would assume, that someone had opened  
24 it to get it out after I sealed it.

11:32:51AM 25 Q. Other than the Government's Exhibit sticker, the orange

1 RPD property sticker, and the lab markings -- that yellow  
2 sticker and the blue tape, does that item appear to be in the  
3 same or substantially the same condition?

4 A. Just had some handwriting on here that's not mine as well.  
11:33:11AM 5 Looks like a Sharpie in two spots, three spots. Other than  
6 that, it's what I did put into property that day.

7 Q. Okay. And when you collected that item did you seal the  
8 bag?

9 A. I did.

11:33:24AM 10 Q. Does your seal appear to be intact?

11 A. It does.

12 Q. Okay. And after you sealed the bag what did you do with  
13 it?

14 A. Take it down to the property department for the Rochester  
11:33:37AM 15 Police Department.

16 Q. Okay. And is that a secure facility, the property clerk?

17 A. Yes, it is.

18 Q. Okay. All right. Now, Investigator, moving on to another  
19 room in the home, did you search the attic area of 14 Burbank  
11:33:52AM 20 Street?

21 A. Yes.

22 Q. I'd like to move on to Exhibit 129. Can you explain what  
23 we're looking at here?

24 A. Some things that were upstairs that were suspicious. A  
11:34:08AM 25 little black bag, some pills, things of that nature that were

1 collected as well as unknown what they were at that point.

2 Q. Okay. And that was in the attic area of the home?

3 A. Correct.

4 Q. Okay. What else besides these pills and baggies did you  
11:34:24AM 5 locate in the attic area?

6 A. There was some -- a notebook and a small little note pad  
7 with some numbers written on them, looked like maybe doing  
8 some adding and subtracting, possible notes from like a drug  
9 enterprise possibly.

10 **MR. VACCA:** Objection, Your Honor.

11 **THE COURT:** Overruled.

12 **BY MS. KOCHER:**

13 Q. If we can move on to Government's Exhibit 30 -- 130.

14 Thank you. What is depicted in this photograph?

11:34:52AM 15 A. Those are some baggies that were reminiscent of the  
16 baggies that the narcotics were housed in from the first  
17 floor. Those were found in the attic as well. They were new  
18 and unused.

19 Q. Moving on to Government's 131. What's in this photograph?

11:35:12AM 20 A. Those were the notebook that I was talking about before  
21 and the small little note pad.

22 Q. Okay. If we can zoom in on the white -- the small note  
23 pad? Okay, Investigator, we've zoomed in on the smaller note  
24 pad that was on the right of the screen. Why was this  
11:35:31AM 25 significant to you?

1 A. First of all, Bruce was the first name of the black  
2 gentleman that came -- that we secured. He was actually  
3 walking down from the second floor when we secured him during  
4 the original execution of the search warrant, so he was the  
11:35:49AM 5 black male, bald hair, with the blue jeans and the plaid type  
6 shirt. So first name is Bruce, his first name was Bruce, and  
7 maybe had something to do with some drug activity.

8 Q. Okay. If we can move on to Government's Exhibit 132? And  
9 what is depicted in this photograph?

11:36:15AM 10 A. Same thing. Possible ledger outlining drug activity.

11 Q. Investigator, did you also search the kitchen area of the  
12 home?

13 A. Yes.

14 Q. And what were some of the items that you located in the  
11:36:29AM 15 kitchen?

16 A. Some mail.

17 Q. If we could show Government's Exhibit 133? Investigator,  
18 what's in this photograph?

19 A. That was some mail that was collected out of a cabinet in  
11:36:42AM 20 the kitchen.

21 Q. And who was this mail addressed to?

22 A. Jose Olivencia of 6 -- it says Brubank Street.

23 Q. Okay. Rochester, New York?

24 A. Yup, 14617.

11:36:58AM 25 Q. Brubank, it's B-R-U-B-A-N-K, Street?



1 A. Correct.

2 MS. KOCHER: Thank you, Investigator. I don't have  
3 any further questions.

4 THE WITNESS: Thank you.

11:37:29AM 5 MR. VACCA: No questions, Your Honor.

6 THE COURT: You may step down. Thank you very  
7 much.

8 THE WITNESS: Thanks, Judge.

9 (WHEREUPON, the witness was excused).

10 \* \* \*

11 CERTIFICATE OF REPORTER

12

13 In accordance with 28, U.S.C., 753(b), I certify that  
14 these original notes are a true and correct record of  
15 proceedings in the United States District Court for the  
16 Western District of New York before the Honorable Frank P.  
17 Geraci, Jr. on May 18th, 2021.

18

19 S/ Christi A. Macri

20 Christi A. Macri, FAPR-RMR-CRR-CSR(CA/NY)  
21 Official Court Reporter

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